

REMARKS/ARGUMENTS

In amended Figure 2, portions of a panel and the sleeve have been removed to reveal the inner liner as it nests within the sleeve, and include element numbers 42, 44, 24, and 30. In addition, one of the sidewalls has been correctly identified as element 26, rather than element 28. In amended Figures 3 and 4, the previously omitted element number 42 has been added. In amended Figures 5 and 6, the positions of elements 56 and 58 have been reversed to bring them into compartment with the other figures.

Status of the Claims

Claims 1, 3-6, 9, and 10 remain in this application;

Claims 1, 3, 9, and 10 have been amended;

Claims 2, 7, and 8 have been canceled;

Claims 11-21 have been added.

Applicant gratefully acknowledges the indication of allowable subject matter, wherein claims 2-5 and 7-10 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, independent claim 1 has been rewritten to incorporate the previously indicated allowable limitations of claim 2, and independent claim 6 has been rewritten to incorporate the previously indicated allowable limitations of claim 7. Newly submitted claim 11 includes the body of independent claim 6 as well as the previously indicated allowable limitations of claim 8. Thus, it is submitted that claims 1, 3-6, 9, and 10 are in condition for allowance.

It is submitted, then, that the rejection of claim 1 under 35 U.S.C. 102(b) as being clearly anticipated by U.S. Patent No. 512,363 (issued to Clarke) has been rendered moot.

It is further submitted that the rejection of claim 6 under 35 U.S.C. 102(b) as being anticipated by GB Patent No. 581,267 (issued to Overend) has likewise been rendered moot.

The newly added claims 12-21 are drawn towards several features that are absent from the art of record. Namely, use of the holder with paintbrushes that have removable handles, and the hinged connection and juxtaposition of the panels that attach to the sleeve of the holder.

CONCLUSION

On the basis of the foregoing amendments, remarks, and arguments of record, applicant respectfully submits that claims 1, 3-6, and 9-11 are now in condition for allowance and that claims 12-21 are allowable over the art of record. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Alternatively, if the Examiner is of the opinion that prosecution of the application may be expedited by a telephonic interview, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,
For the Applicant
By his Attorneys,

Customer Number

22854

MOORE, HANSEN & SUMNER
2900 Wells Fargo Center
90 South Seventh Street
Minneapolis, Minnesota 55402
Telephone: (612) 332-8200
Facsimile: (612) 332-1780

Date November 10, 2003

By: James R. Hakomaki
James R. Hakomaki
Reg. No. 35,037

Enc.